UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/679,819	10/06/2003	Robert R. O'Brien	50037.200US01	3404

27488 7590 11/07/2006		EXAMINER
MERCHANT & GOULD (MICROSOFT)		DAILEY, THOMAS J
P.O. BOX 2903		
MINNEAPOLIS, MN 55402-0903	ART UNIT	PAPER NUMBER
	2196	

DATE MAILED: 11/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>06 October 2003</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-21* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date <u>26 January 2004</u>.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____ .

DETAILED ACTION

1. Claims 1-21 are pending in this application

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form

the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-8,10-17, and 19-21 are rejected under 35 U.S.C. 102(b) as being

anticipated by Porter et al. (US Pat. No. 6,181,781 B1), hereafter "Porter".

4. As to claim 1, Porter teaches system for notifying a subscriber about an event

(Abstract), comprising:

a voice mail switch (Fig. 3, label 380) that is configured to receive an event and

an identifier associated with the event (column 1, lines 9-12 and column 2, lines 33-36,

Porter's event is the "messages from incoming calls" and the identifier is the mail box

number or phone number of the "subscriber", as in column 3, lines 15-20); and

a notification server (Fig. 3, label 370) coupled to the voice mail switch that is

configured to perform actions including:

receiving the event and the identifier (column 1, lines 9-12, column 2, lines

33-36, and column 5, lines 45-47);

correlating the identifier with the subscriber (column 5, lines 32-44);

generating an alert (column 5, lines 47-54); and

sending the alert to the subscriber indicating that the event occurred

(column 5, lines 47-54).

5. As to claim 13, Porter teaches a method for notifying a subscriber about an event

(Abstract), comprising:

receiving an event and an identifier associated with the event at a voice mail

switch (column 1, lines 9-12 and column 2, lines 33-36, Porter's event is the "messages

from incoming calls" and the identifier is the mail box number or phone number of the

"subscriber", as in column 3, lines 15-20);

forwarding the event and the identifier to a notification server(column 5, lines 45-

47);

correlating the identifier with the subscriber (column 5, lines 32-44);

generating an alert (column 5, lines 47-54); and sending the alert to the

subscriber indicating that the event occurred (column 5, lines 47-54).

6. As to claim 20, Porter teaches a system for notifying a subscriber about an event

(Abstract), comprising:

a means for receiving an event and an identifier associated with the event at a

voice mail switch (Fig. 3, label 380, column 1, lines 9-12 and column 2, lines 33-36,

Porter's event is the "messages from incoming calls" and the identifier is the mail box

number or phone number of the "subscriber", as in column 3, lines 15-20);

a means for forwarding the event and the identifier to a notification server

(column 5, lines 45-47);

a means for correlating the identifier with the subscriber (column 5, lines 32-44);

a means for generating an alert (column 5, lines 47-54); and

a means for sending the alert to the subscriber indicating that the event

occurred(column 5, lines 47-54).

7. As to claims 2 and 14, Porter teaches where the alert (Fig. 5, label 580) includes an

event reference (Fig. 5, label 588) that links the subscriber to the event such that the

subscriber can retrieve the event through a web portal view associated with a URL

(column 12, lines 61-67 and column 13, lines 1-7).

8. As to claim 3, Porter teaches where the notification server is further configured to

generate a personal unique identifier (PUID) associated with the subscriber (column 3,

lines 15-21, Porter's "mailbox number" reads on the PUID).

9. As to claim 4, Porter teaches where the notification server correlates the identifier

with the subscriber by mapping the identifier to the PUID (column 5, lines 41-43).

10. As to claim 5, Porter teaches a web server (Fig. 3, label 330) that is configured to provide a link (Fig. 4, label 430) from the notification server to the voice mail switch (column 7, lines 32-47).

11. As to claim 6, Porter teaches a web service interface (Fig. 3, label 330) that is configured to allow the subscriber to register to receive the alert (column 5, lines 48-61).

12. As to claim 7, Porter teaches a web service interface (Fig. 3, label 330) that is further configured to allow the subscriber to designate at least one destination where the alert is sent (column 5, lines 48-61).

13. As to claim 8, Porter teaches where the notification server is further configured to log the event after the alert is generated (column 2, lines 33-36, Porter's act of storing the incoming message is logging the event).

14. As to claim 10, Porter teaches where the identifier is a telephone number associated with the event (column 2, lines 33-36, it is well in the art that an event, a telephone call in Porter's voice mail system (or any voice mail system), will have a telephone number to identify it).

15. As to claim 11, Porter teaches where the event is at least one of: a voice mail message, a stock price, a sports score, a product delivery message, a fax, or telephone billing information (column 1, lines 9-12 and column 2, lines 33-36, Porter's event is the "messages from incoming calls").

16. As to claim 12, Porter teaches where the voicemail switch comprises a data store (Fig 3, label 390) for storing the events (column 5, lines 32-39, events are the "messages from incoming calls" and are stored as "digitised stored messages").

17. As to claim 15, Porter teaches generating a PUID associated with the subscriber (column 3, lines 15-21), wherein correlating the identifier with the subscriber further comprises mapping the identifier to the PUID (column 5, lines 41-43).

18. As to claim 16, Porter teaches determining if the subscriber is registered to receive the alert (column 2, lines 33-36, Porter's act of storing the incoming message is logging the event).

19. As to claim 17, Porter teaches logging the event (column 2, lines 33-36).

20. As to claim 19, Porter teaches sending the alert to at least one destination designated by the subscriber (column 5, lines 48-61).

21. As to claim 21, Porter teaches a system further comprising a means for linking the

subscriber to the event through a network via a URL (column 12, lines 61-67), and a

means for retrieving the event through a web portal view that is associated with the URL

(column 12, lines 63-67 and column 13, lines 1-7).

Claim Rejections - 35 USC § 103

22. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

23. Claims 9 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Porter, as applied to claims 1,13, and 14 above in view of Guthrie et al. (US Pat. No.

6,161,185) hereafter "Guthrie".

24. As to claim 9, Porter teaches where the notification server is further configured to

determine if the subscriber has registered to receive the alert (column 5, lines 54-61)

and discarding the event when the identifier does not correlate to the subscriber (it is

well known in the art that if an event is received at voice mail system (or any subscriber

system) that is not associated with a subscriber that event will be discarding).

Porter does not explicitly teach logging an attempt to correlate the identifier with

the subscriber. Guthrie teaches a server logging an attempt to correlate the identifier

with the subscriber (column 13, lines 46-56). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Porter and Guthrie in order for an operator of Porter's system to have a greater understanding of the operation of the system, i.e. the operator will be aware of what the system has done even when they are not present, resulting in enhanced control of the system.

25. As to claim 18, Porter teaches discarding the event when the identifier does not correlate to the subscriber (it is well known in the art that if an event is received at voice mail system (or any subscriber system) that is not associated with a subscriber that event will be discarding).

Porter does not explicitly teach logging an attempt to correlate the identifier with the subscriber. Guthrie teaches logging an attempt to correlate the identifier with the subscriber (column 13, lines 46-56). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Porter and Guthrie in order for an operator of Porter's system to have a greater understanding of the operation of the system, i.e. the operator will be aware of what the system has done even when they are not present, resulting in enhanced control of the system.

Conclusion

26. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Porter et al. (US Pat. No. 6,282,270 B1), Corliss (US Pat. No.

6,771,949 B1), Brown (US Pat. No. 6,014,711), Boaz et al. (US Pat. No. 5,333,266), and Dorfman et al. (US Pat. No. 6,563,912) disclose voice mail notification systems similar to the applicant's claimed invention.

27. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas J. Dailey whose telephone number is 571-270-1246. The examiner can normally be reached on Monday thru Friday; 7:30am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nabil El-Hady can be reached on 571-272-3963. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Thomas J. Dailey
October 30, 2006

NABIL M. EL-HADY
SUPERVISORY PATENT EXAMINER